

State of South Dakota

SEVENTY-SECOND SESSION
LEGISLATIVE ASSEMBLY, 1997

492A0403

HOUSE BILL NO. 1120

Introduced by: Representatives Matthews, Belatti, and Moore and Senators Aker and Olson

1 FOR AN ACT ENTITLED, An Act to increase the minimum age requirement of certain persons
2 aboard personal watercraft.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 42-8-102 be amended to read as follows:

5 42-8-102. No person may operate a personal watercraft:

- 6 (1) Unless each person aboard is wearing a type I, type II, type III, or type V personal
7 flotation device approved by the United States Coast Guard;
- 8 (2) That is equipped by the manufacturer with a lanyard type engine cutoff without
9 attaching such lanyard to ~~his~~ a person, clothing, or personal flotation device as
10 appropriate for the specific watercraft;
- 11 (3) Between the hours of one-half hour after sunset to one-half hour before sunrise unless
12 the personal watercraft is equipped with navigation lights as required by the
13 Department of Game, Fish and Parks by rules promulgated pursuant to chapter 1-26;
- 14 (4) At greater than a slow-no-wake speed within one hundred fifty feet of any dock,
15 swimmer, swimming raft, or nonmotorized boat. Slow-no-wake is the slowest
16 possible speed necessary to maintain steerage, but in no case greater than five miles

1 per hour;

2 (5) In other than a reasonable and prudent manner; and

3 (6) To chase or harass wildlife, or travel through emergent floating vegetation at greater
4 than slow-no-wake speed.

5 Except in the case of an emergency, no person under the age of twelve may operate or be
6 permitted to operate a personal watercraft, regardless of horsepower, unless there is a person
7 ~~eighteen~~ twenty-one years of age or older on board the craft. No owner of a personal watercraft
8 may permit the personal watercraft to be operated by such underage person. The provisions of
9 this section do not apply to a performer engaged in a professional exhibition or a person
10 preparing to participate or participating in an officially-sanctioned regatta, race, marine parade,
11 tournament, or exhibition. A violation of this section is a Class 2 misdemeanor.